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EXTRAORDINARY

भाग I—खण्ड 1

PART I—Section 1

आधिकार से प्रकाशित

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नई दिल्ली, सोमवार, नवम्बर 1, 1976/कार्तिक 10, 1898

No. 205]

NEW DELHI, MONDAY, NOVEMBER 1, 1976/KARTIKA 10, 1898

इस भाग में विभिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation

MINISTRY OF COMMERCE

PUBLIC NOTICE

IMPORT TRADE CONTROL

New Delhi, the 1st November 1976

SUBJECT.—*Import of Dates (S. No. 21(b)/IV) from Iraq during 1976-77 licensing period on annual basis.*

No. 108-ITC(PN)/76.—It has been decided to grant licences for import of Dates from Iraq to the Established Importers, having past import of Dates from that country by Sailing Vessels/Steamers etc., within the prescribed basic years, on the following basis:—

Quota

- | | |
|---|--|
| (i) Established Importers having past imports of Dates from Iraq upto Rs. 1.5 lakhs. | 100% subject to a minimum of Rs. 17,000/- |
| (ii) Established Importers having past imports of Dates from Iraq between Rs. 1,50,001/- and Rs. 5 lakhs. | 95% subject to a minimum of Rs. 1.5 lakhs |
| (iii) Established Importers having past imports of Dates from Iraq between Rs. 5,00,001/- and Rs. 15 lakhs. | 60% subject to a minimum of Rs. 4.75 lakhs |
| (iv) Established Importers having past imports of Dates from Iraq of over Rs. 15 lakhs. | 50% subject to a minimum of Rs. 9 lakhs |

(1605)

2. The basic period for all Established Importers of Dates from Iraq will be from 1956-57 to 1970-71. For importers detailed in item (i) to (iv) of the Annexure I to this Public Notice, the basic period will be as mentioned under each item.

3. The Established importers should submit their applications to the Joint Chief Controller of Imports and Exports, C.G.O. Building, New Marine Lines, Churchgate, Bombay, Jt. Chief Controller of Imports and Exports, 4, Esplanade East, Calcutta, Joint Chief Controller of Imports and Exports, 1st Line Beach, Madras, Joint Chief Controller of Imports and Exports, Central Licensing Area, Indraprastha Bhawan, New Delhi, Deputy Chief Controller of Imports and Exports, T. D. Road, Ernakulam-1, (according to the jurisdiction under which they fall) on or before the 30th November, 1976. No past import documents are required to be produced, provided such documents were produced in the past and were accepted in the past by the licensing authority concerned for issue of licences for import of Dates from Iraq. However, the established importers should quote the number and date of licences obtained by them in the preceding two periods. The established importers, applying for the first time for grant of licences for import of Dates from Iraq according to the current policy, should submit unimpeachable documentary evidence of past import of Dates from Iraq within the prescribed basic years i.e. 1956-57 to 1970-71.

4. Importers who are eligible in terms of Annexure I to this Public Notice will also be granted licences to the extent of Rs. 17,000/- each (Rupees seventeen thousand only) for import of Dates from Iraq, irrespective of their past imports subject to the provision contained in Paragraph 45(2) of the Import Trade Control Hand Book of Rules and Procedure, 1976-77 with regard to division of quotas. They may submit their applications for import of Dates from Iraq for 1976-77 period to Joint Chief Controller of Imports and Exports, Central Licensing Area, Indraprastha Bhawan, New Delhi, on or before the 30th November, 1976, in the usual form and manner, complete in all respects.

5. In addition to the importers mentioned in Paragraphs 1 and 4 above, Cooperative Societies of pre-independence freedom fighters, which were registered prior to 31-3-1973, will also be granted licences for import of Dates from Iraq, subject to the provision contained in Paragraph 6 below. Presidents of such Societies will be required to produce an affidavit to the effect that all the members of the Society are *bona fide* freedom fighters of pre-independence era. These societies should submit their applications to the Joint Chief Controller of Imports and Exports, Central Licensing Area, Indraprastha Bhawan, New Delhi, on or before the 30th November, 1976, in the usual form and manner, complete in all respects.

6. It may be noted that no double benefit will be given and the applicants should submit one application only either in terms of Paragraphs 1 to 3 or in terms of Paragraph 4 or Paragraph 5 and they should clearly mention in their applications that they have applied in one capacity only and not under both. In the case of Cooperative Societies covered by paras 4 and 5 above, a certificate to the effect that no member of the Society has applied for an import licence in his individual capacity or is the owner, proprietor, partner or share-holder in any body corporate, which has applied for an import licence under this Public Notice, should be produced.

7. All applicants should furnish alongwith their applications detailed information regarding the manner of import and disposal of Dates imported against the licences obtained during the last period namely 1975-76 in the proforma as at Annexure III of this Public Notice.

8. Licences issued in terms of this Public Notice will be valid for imports of Dates from Iraq, subject to the condition that not less than 60% of the face value of the licence shall have to be utilised for import of Dates from Iraq by Sailing Vessels only and the balance by Steamers etc.

9. All late/incomplete applications are liable to be rejected.

10. The licences issued in terms of this Public Notice will be valid upto the 31st August, 1977, from the date of issue and no further extension in the validity period of the licences will be granted.

11. It may be noted that the minimum value of import licences for Dates from Iraq during 1976-77 will be Rs. 17,000/- (Rupees seventeen thousand only) subject to the provisions contained in Para 45(2) of the I.T.C. Hand Book of Rules and Procedure, 1975-76, with regard to division of quotas.

12. The provisions of paragraphs 115 and 116 of Section I of the Import Trade Control Policy Book (Vol. I) for the period April 1976—March 1977, regarding to minimum and maximum value of licences will not apply to the licences issued in terms of this Public Notice. However, the provisions of paragraph 117 of Section I of I.T.C. Policy Book (Vol. I) for the period April 1976—March 1977 will be applicable in the cases involving TQR/DQR.

13. The last date for issue of licences in terms of this Public Notice will be 30th June, 1977.

ANNEXURE-I

S. No. & Part of the I.T.C. Schedule	Description of the goods	Licensing authority	Validity of licences	Basis of Licensing
1	2	3	4	5
21 (b)/IV	Dates	J.T.C.C. I & E (CLA) New Delhi.	Upto 31st August, 1977.	<i>Ad hoc</i> licences for import of Dates from Iraq will be issued to :— (i) Established importers who have imports of fresh fruits to their credit from Afghanistan during the 5 years ended 30-6-1957. (ii) Established importers who have imports of fresh fruits to their credit from any of the countries in the 'General Area' including Pakistan but excluding Afghanistan, during the period from 1951-52 to 1970-71. (iii) Established importers who have imports of fresh fruits to their credit from any of the countries in the 'General Area' including Pakistan but excluding Afghanistan during the period from 1945-46 to 1950-51, provided these imports had been accepted by the licensing authority for grant of <i>ad-hoc</i> licences for import of fresh fruits from Pakistan during 1960 to 1964 (iv) Established importers who have imports of dry fruits to their credit from Pakistan during the period 1951-52 to 1970-71. (v) Co-operative Societies dealing in fresh fruits subject to the production of :— (a) a certificate from the concerned Registrar of Co-operative Societies that the Co-operative Society is still in existence;

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(b) an affidavit in the proforma enclosed *vide* Annexure II;

(c) a certificate from a Chartered Accountant to the effect that the Society had a turn-over of not less Rs. 15,000/- (Rs. Fifteen thousand) during any one of the financial years 1967-68, 1968-69, 1969-70, 1970-71 and 1971-72 in fresh fruits.

If a certificate as referred to in sub-para (c) above had been produced in the past and it had been accepted by the licensing authority concerned for the issue of licences for import of Dates from Iraq, it need not be produced again. Only a reference to the earlier application with which such a certificate had been furnished should be made.

ANNEXURE—II

FORM OF AFFIDAVIT

Affidavit of Shri _____ S/o _____
residing at _____, Secretary/President of

(Name & address of the Co-operative Society).

I, the abovenamed deponent, do hereby solemnly affirm and declare that I am duly authorised to affirm this affidavit on behalf of _____ (Name of Co-operative Society) and declare as under :—

- (i) That the _____ (Name and address of Co-operative Society) has been and is still dealing in fresh fruits.
- (ii) That any licence granted to the aforesaid Co-operative Society on the basis of this declaration is liable to be cancelled without prejudice to any penalty that the Government may impose or any other action that may be taken under the Imports and Exports (Control) Act and Imports (Control) Order, 1955 as amended, in case it is found that the declaration as stated in para (i) above is incorrect or false.

Deponent —————

Verification

I, _____ do hereby affirm and declare that the contents of this affidavit are true to the best of my knowledge and belief and nothing has been concealed.

Deponent —————

ANNEXURE—III

IMPORT OF DATES FROM IRAQ

Name and full address of the applicant

Period	Total Value of the import received along with Numbers and date(s) of licences	Name & address of Iraqi exporter from Whom goods imported	Total quantity and value of goods imported.	Was the import effected directly, if not, name and full address of the agent through whom imported.	How were the goods disposed of. If not through your own sales establishment, name and full address of the party(ies) through whom disposed of.	Remarks if any
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1975-76

A. S. GILL,

Chief Controller of Imports and Exports.

वाणिज्य मंत्रालय

सार्वजनिक सूचना

आयात व्यापार नियंत्रण

नई दिल्ली, 1 नवम्बर, 1976

विषय.—वार्षिक आधार पर 1976-77 लाइसेंस अवधि के दौरान ईराक से खजूरों (क्रम संख्या: 21 (बी)/4) का आयात।

संख्या : 108—आई टी सी (पी एस)/76.—इस बात का निश्चय किया गया है कि निर्धारित मूल अवधि के दौरान निम्नलिखित आधार पर उन संस्थापित आयातकों को ईराक से खजूरों के आयात की स्वीकृति दी जाए जिन्होंने पाल पोतों/स्ट्रीमरों द्वारा उस देश से खजूरों का पहले आयात किया था :—

कोटा

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| (1) | संस्थापित आयातक जिनका ईराक से खजूरों का पहले आयात, 1.5 लाख रुपये तक का है। | 100 प्रतिशत, कम से कम 17,000 रुपये के अधीन। |
| (2) | संस्थापित आयातक जिनका ईराक से खजूरों का पहले आयात 1,50,001 रुपये तथा 5 लाख रुपये के बीच तक का है। | 96 प्रतिशत, कम से कम 1.5 लाख रुपये के अधीन। |

अनुबन्ध—1

क्रम सं० तथा आई टी सी अनुसूची का भाग	माल का वर्णन	लाइसेंस प्राधिकारी	लाइसेंस की वैधता	लाइसेंस देने का आधार
1	2	3	4	5
21(बी)/4	खजूरें	संयुक्त मुख्य नियंत्रक, आयात निर्यात (केन्द्रीय लाइसेंस क्षेत्र) नई दिल्ली।	31 अगस्त, 1977 तक	ईराक से खजूरों के आयात के लिए तदर्थ लाइसेंस निम्नलिखित को जारी किए जाएंगे :— (1) संस्थापित आयातक, जिन्होंने अपने खाते पर 30-6-57 को समाप्त होने वाले 5 वर्षों के दौरान अफगानिस्तान को ताजा फलों का आयात किया हो। (2) संस्थापित आयातक, जिन्होंने अपने खाते पर 1951-52 से 1970-71 तक की अवधि के दौरान पाकिस्तान सहित सामान्य क्षेत्र के किसी भी देश से परन्तु अफगानिस्तान को छोड़कर, ताजा फलों का आयात किया हो। (3) संस्थापित आयातक, जिन्होंने अपने खाते पर 1945-46 से 1950-51 तक की अवधि के दौरान पाकिस्तान सहित 'सामान्य क्षेत्र' के किसी भी देश से परन्तु अफगानिस्तान को छोड़कर, ताजा फलों का आयात किया हो बशर्ते कि लाइसेंस प्राधिकारी द्वारा 1960 से 1964 के दौरान पाकिस्तान से ताजा फलों का आयात करने के लिए तदर्थ

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लाइसेंसों की मंजूरी देने के लिये ये आयात स्वीकृत कर लिये गये थे ।

(4) संस्थापित आयातक, जिन्होंने अपने खाते पर 1951-52 से 1970-71 की अवधि के दौरान पाकिस्तान से सूखे पत्तों का आयात किया हो ।

(5) ताजा फलों का व्यापार करने वाली सहकारी समितियों को निम्नलिखित प्रस्तुत करने पर :—

(क) सम्बन्ध सहकारी समितियों के निबंधक से इस संबंध में एक प्रमाण पत्र कि सहकारी समितियां अभी भी विद्यमान है,

(ख) संलग्न प्रपत्र में एक शपथ पत्र, देखें अनुबन्ध-3,

(ग) सनदी लेखापाल से इस संबंध में एक प्रमाण पत्र कि वित्तीय वर्ष 1967-68, 1968-69, 1969-70, 1970-71 एवं 1971-72 के दौरान समिति का ताजे फलों का व्यवसाय 15000 रुपए (पन्ध्र हजार रुपए) से कम नहीं था ।

यदि उपर्युक्त उप-कंडिका

(ग) में यथा संदर्भित एक प्रमाण पत्र भूत में प्रस्तुत कर दिया गया था और यह ईरान से सूखे फलों के आयात के लिए लाइसेंस जारी करने के लिए लाइसेंस प्राधिकारी

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द्वारा स्वीकार कर लिया गया था तो उसे पुनः प्रस्तुत करने की आवश्यकता नहीं है। केवल पूर्व के आवेदन पत्र जिसके साथ इस प्रकार का प्रमाण पत्र भेजा गया था उसका संकेत कर देना चाहिए।

अनुबन्ध—2

शपथ पत्र का प्राप्य

..... (सहकारी समिति का नाम) के सचिव / अध्यक्ष श्री सपुत्र जिनका निवास स्थान है का शपथ पत्र।

मैं उपर्युक्त नामक अभिसाक्षी एतद्वारा निष्ठापूर्वक शपथ लेता हूँ और घोषणा करता हूँ कि मैं (सहकारी समिति का नाम) की ओर से इस शपथ पत्र की पुष्टि करने के लिए विधिवत् प्राधिकृत हूँ और यह घोषणा करता हूँ :-

- (1) कि (सहकारी समिति का नाम और पता) ताजे फलों का व्यापार करती रही है और अब भी कर रही है। 1
- (2) कि यदि उपर्युक्त पैरा (1) में उल्लिखित घोषणा गलत या झूठी पाई जाती है तो इस घोषणा के आधार पर पूर्वोक्त सहकारी समिति को प्रदान किया गया कोई भी लाइसेंस सरकार द्वारा आरोपित किसी भी दंड या यथा संशोधित आयात और निर्यात (नियंत्रण) अधिनियम और आयात (नियंत्रण) आदेश, 1955 के अधीन की जाने वाली किसी अन्य कार्रवाई को ध्यान में रखे बिना रद्द कर दिया जाएगा।

अभिसाक्षी.....

सत्यापन

मैं एतद्वारा निष्ठापूर्वक शपथ लेता हूँ और घोषणा करता हूँ कि इस घोषणा पत्र में दिए गए विवरण मेरे ज्ञान और विश्वास के अनुसार सही है और कुछ भी छुपाया नहीं गया है।

अभिसाक्षी.....

अनुबन्ध—3

ईराक से खजूरों का आयात

आवेदक का नाम और पूरा पता ।

अवधि	प्राप्त किए गए आयात लाइसेंस (सौ) की संख्या (ओं) एवं तिथि (यों) के साथ कुल मूल्य ।	ईराक के उस निर्यातक का नाम एवं पता जिससे माल का आयात किया गया था ।	आयातित माल का कुल मात्रा एवं मूल्य	क्या आयात सीधे ही प्रभावी किया गया था ; यदि नहीं तो उस अभिकर्ता का नाम और पूरा पता बताएं जिसके माध्यम से आयात किया गया था ।	माल का कैसे निपटान किया गया था? यदि आपके स्वयं के विक्रय संस्थान के माध्यम से नहीं किया गया तो उस पार्टी (यों) का नाम और पूरा पता बताएं जिसके माध्यम से निपटान किया गया था ।	टिप्पणी यदि कोई हो ।
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1975-76

ए० एम० गिल,
मुख्य नियंत्रक, आयात-निर्यात ।

महा प्रबन्धक, भारत सरकार मुद्रणालय, मिन्टो रोड, नई दिल्ली द्वारा मुद्रित तथा
निर्यंत्रक, प्रकाशन विभाग, दिल्ली द्वारा प्रकाशित 1976

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